



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

| APPLICATION NUMBER | FILING OR 371 (c) DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|------------------------|-----------------------|------------------------|
| 10/612,883 | 07/03/2003 | Thomas Dollmann | 089443-000000US |

20350

TOWNSEND AND TOWNSEND AND CREW, LLP
 TWO EMBARCADERO CENTER
 EIGHTH FLOOR
 SAN FRANCISCO, CA 94111-3834



CONFIRMATION NO. 7004

FORMALITIES LETTER



OC000000013307735

Date Mailed: 07/22/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **\$3080** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$3980** for a Large Entity

- **\$770** Statutory basic filing fee.
- **\$130** Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is **\$3080**

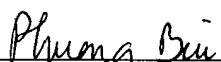
09/20/2004 AWONDAF1 00000105 201430 10612883

| | |
|------------|-----------|
| 01 FC:1001 | 770.00 DA |
| 02 FC:1051 | 130.00 DA |
| 03 FC:1202 | 342.00 DA |

- \$2790 for 155 total claims over 20.
- \$290 for multiple dependent claim surcharge.

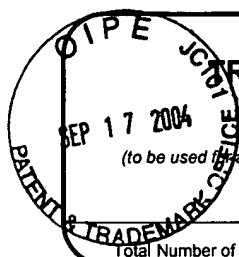
Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

36

Application Number

10/612,883

Filing Date

July 3, 2003

First Named Inventor

Dollmann, Thomas

Art Unit

2878

Examiner Name

Not yet assigned

Attorney Docket Number

089443000000

ENCLOSURES (Check all that apply)



Fee Transmittal Form



Fee Attached



Amendment/Reply



After Final



Affidavits/declaration(s)



Extension of Time Request



Express Abandonment Request



Information Disclosure Statement



Certified Copy of Priority Document(s)

Response to Missing Parts/
Incomplete ApplicationResponse to Missing Parts
under 37 CFR 1.52 or 1.53

Drawing(s)



Licensing-related Papers



Petition

Petition to Convert to a
Provisional ApplicationPower of Attorney, Revocation
Change of Correspondence Address

Terminal Disclaimer



Request for Refund



CD, Number of CD(s) _____

After Allowance Communication
to Technology Center (TC)Appeal Communication to Board
of Appeals and InterferencesAppeal Communication to TC
(Appeal Notice, Brief, Reply Brief)

Proprietary Information



Status Letter

Other Enclosure(s) (please
identify below):Declaration, Statement under 37 CFR
3.73(b), copy of Assignment, copy of Notice
to File Missing Parts, Return Postcard

Remarks

The Commissioner is authorized to charge any additional fees to Deposit
Account 20-1430.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm
or
Individual name

Townsend and Townsend and Crew LLP

Karen B. Dow

Reg. No. 29,684

Signature

Karen Babayak Dow

Date

September 14, 2004

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name

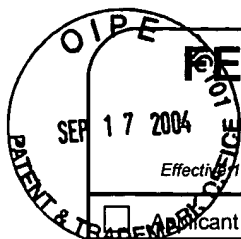
Timothy S. Parker

Signature

Timothy S. Parker

Date

September 14, 2004



FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 1242

Complete if Known

| | |
|----------------------|------------------|
| Application Number | 10/612,883 |
| Filing Date | July 3, 2003 |
| First Named Inventor | Dollmann, Thomas |
| Examiner Name | Not yet assigned |
| Art Unit | 2878 |
| Attorney Docket No. | 089443000000 |

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit
Account
Number

20-1430

Deposit
Account
Name

Townsend and Townsend and Crew LLP

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

| Large Entity | | Small Entity | | Fee Description | Fee Paid |
|--------------|----------|--------------|----------|------------------------|----------|
| Fee Code | Fee (\$) | Fee Code | Fee (\$) | | |
| 1001 | 770 | 2001 | 385 | Utility filing fee | 770 |
| 1002 | 340 | 2002 | 170 | Design filing fee | |
| 1003 | 530 | 2003 | 265 | Plant filing fee | |
| 1004 | 770 | 2004 | 385 | Reissue filing fee | |
| 1005 | 160 | 2005 | 80 | Provisional filing fee | |

SUBTOTAL (1)

(\$770)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

| | | Extra Claims | | Fee from below | | Fee Paid |
|--------------------|---------|--------------|-------|----------------|--|----------|
| Total Claims | | | | | | |
| 39 | -20** = | 19 | X\$18 | | | \$342 |
| Independent Claims | | | | | | |
| 2 | -3** = | 0 | X\$86 | | | \$0 |
| Multiple Dependent | | | | | | |

| Large Entity | | Small Entity | | Fee Description |
|--------------|----------|--------------|----------|--|
| Fee Code | Fee (\$) | Fee Code | Fee (\$) | |
| 1202 | 18 | 2202 | 9 | Claims in excess of 20 |
| 1201 | 86 | 2201 | 43 | Independent claims in excess of 3 |
| 1203 | 290 | 2203 | 145 | Multiple dependent claim, if not paid |
| 1204 | 86 | 2204 | 43 | ** Reissue independent claims over original patent |
| 1205 | 18 | 2205 | 9 | ** Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2)

(\$342)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

| Large Entity | | Small Entity | | Fee Description | Fee Paid |
|--------------|----------|--------------|----------|--|----------|
| Fee Code | Fee (\$) | Fee Code | Fee (\$) | | |
| 1051 | 130 | 2051 | 65 | Surcharge - late filing fee or oath | 130 |
| 1052 | 50 | 2052 | 25 | Surcharge - late provisional filing fee or cover sheet. | |
| 1053 | 130 | 1053 | 130 | Non-English specification | |
| 1812 | 2,520 | 1812 | 2,520 | For filing a request for reexamination | |
| 1804 | 920* | 1804 | 920* | Requesting publication of SIR prior to Examiner action | |
| 1805 | 1,840* | 1805 | 1,840* | Requesting publication of SIR after Examiner action | |
| 1251 | 110 | 2251 | 55 | Extension for reply within first month | |
| 1252 | 420 | 2252 | 210 | Extension for reply within second month | |
| 1253 | 950 | 2253 | 475 | Extension for reply within third month | |
| 1254 | 1,480 | 2254 | 740 | Extension for reply within fourth month | |
| 1255 | 2,010 | 2255 | 1,005 | Extension for reply within fifth month | |
| 1401 | 330 | 2401 | 165 | Notice of Appeal | |
| 1402 | 330 | 2402 | 165 | Filing a brief in support of an appeal | |
| 1403 | 290 | 2403 | 145 | Request for oral hearing | |
| 1451 | 1,510 | 1451 | 1,510 | Petition to institute a public use proceeding | |
| 1452 | 110 | 2452 | 55 | Petition to revive - unavoidable | |
| 1453 | 1,330 | 2453 | 665 | Petition to revive - unintentional | |
| 1501 | 1,330 | 2501 | 665 | Utility issue fee (or reissue) | |
| 1502 | 480 | 2502 | 240 | Design issue fee | |
| 1503 | 640 | 2503 | 320 | Plant issue fee | |
| 1460 | 130 | 1460 | 130 | Petitions to the Commissioner | |
| 1807 | 50 | 1807 | 50 | Petitions related to provisional applications | |
| 1806 | 180 | 1806 | 180 | Submission of Information Disclosure Stmt | |
| 8021 | 40 | 8021 | 40 | Recording each patent assignment per property (times number of properties) | |
| 1809 | 770 | 2809 | 385 | Filing a submission after final rejection (37 CFR § 1.129(a)) | |
| 1810 | 770 | 2810 | 385 | For each additional invention to be examined (37 CFR § 1.129(b)) | |
| 1801 | 770 | 2801 | 385 | Request for Continued Examination (RCE) | |
| 1802 | 900 | 1802 | 900 | Request for expedited examination of a design application | |

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid **SUBTOTAL (3)**

(\$130)

SUBMITTED BY

Name (Print/Type)

Karen B. Dow

Registration No. (Attorney/Agent)

29,684

Telephone

858-350-6100

Signature

Karen Babyak Dow

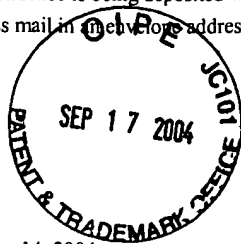
Date

September 14, 2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in the following addressed to:

Commissioner for Patents
Attn: Mail Stop Missing Parts
P.O. Box 1450
Alexandria, VA 22313-1450



PATENT
Attorney Docket No.: 089443-000000US
Client Reference No.: S8292PUS - Mr/ak

On September 14, 2004

TOWNSEND and TOWNSEND and CREW LLP

By: Timothy J. Parker

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Thomas Dollmann, et al.

Application No.: 10/612,883

Filed: July 3, 2003

For: LASER SCANNING APPARATUS

Examiner: Not yet assigned

Art Unit: 2878

TRANSMITTAL LETTER –
RESPONSE TO NOTICE OF MISSING
PARTS

Attn: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to the Notice to File Missing Parts of Nonprovisional Application, dated July 22, 2004, enclosed are the following to be made of record in the above-identified application:

- 1) Executed Declaration
- 2) Power of Attorney and Certificate of Assignee Under 37 C.F.R. § 3.73(b)
- 3) Certified copy of German priority application no. 10230397.5
- 4) Copy of Notice of Missing Parts

With regard to the Notice to File Missing Parts dated July 22, 2004, Attorney for Applicant notes a discrepancy on page 1 thereof, under "Summary of Fees Due", in the calculation of total additional claim fees as opposed to the number of claims originally filed in this application. The application as originally filed included only 39 total claims, with 2 independent claims, 1 and 36, and no multiply dependent claims. The 39 claims included the following dependencies:

claims 2, 7, 8, 10, 11, 20, 26, 27 depending from claim 1
claims 3, 4, 5, 6 depending from claim 2
claims 12, 14, 16, 18 depending from claim 10
claims 13, 15, 17, 19 depending from claim 11
claims 21, 22, 24, 28 from claim 20
claims 23, 25, 29 depending from 21
claims 30, 32 depending from claim 28
claims 31, 33 depending from 29
claim 34 depending from 32
claim 35 depending from 33
claims 37, 38 and 39 depending from 36

Thus, Attorney for applicant respectfully submits that the total additional fee calculation for this application of \$3980, the total claims calculation over 20 of 155 and the \$290 multiple dependent claim surcharge indicated at the bottom of page 1 and top of page 2 of the Notice to File Missing Parts are in error.

In view of the foregoing, please charge Deposit Account No. 20-1430 for the following fees as recalculated:

| | | | |
|---------------|-----|---|---------------|
| Large Entity: | (a) | Filing Fee (§ 1.16(a)) (Large Entity) | \$770 |
| | (b) | Excess Claims Fees (§ 1.16(b), (c)): | |
| | | 39 - 20 = 19 x \$18 = | \$342 |
| | | 2 - 3 = 0 x \$86 = | \$0 |
| | (d) | Missing Parts Surcharge | \$130 |
| | | TOTAL FEES TO BE CHARGED | \$1242 |

The Commissioner is hereby authorized to charge any additional fees associated with this paper or during the pendency of this application, or credit any overpayment, to Deposit Account No. 20-1430. This Transmittal Letter is submitted in triplicate.

Respectfully submitted,



Karen B. Dow
Reg. No. 29,684

Customer No. 20350

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: 858-350-6100
Fax: 415 576-0300
JGS/KBD:tsp